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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/624,326	07/22/2003	Hoo-Min Toong	65411.010112	7296

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EXAMINER
MOFIZ, APU M

ART UNIT	PAPER NUMBER
2165	

DATE MAILED: 02/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

Office Action Summary	Application No.	Applicant(s)
	10/624,326	TOONG ET AL.
	Examiner	Art Unit	
	Apu M. Mofiz	2165	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>25 January 2006</u>.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-16 and 28-36</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-16 and 28-36</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>22 July 2003</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

       1.☐ Certified copies of the priority documents have been received.

       2.☐ Certified copies of the priority documents have been received in Application No. _____.

       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

DETAILED ACTION

Response to Applicant's Remarks

1.   Applicant's arguments submitted on 01/25/2006 with respect to claims 1-16 and

28-36 have been reconsidered but are not deemed persuasive for the reasons set forth

below.

        Applicant argues that Rivette does not teach, "generating a search query".

Applicant cites several Examiners' explanation statements from the previous Office

Action to support the argument.

        As to Applicants arguments, Examiner respectfully disagrees. Applicant

misinterpreted Examiner's statements. Rivette teaches generating a search query (i.e.,

"An enterprise server 314 accesses and processes the information in the databases 316. In

particular, the enterprise server 314 includes modules that are capable of automatically

accessing and processing the information in the databases ... The system 302 preferably includes

two types of clients, network clients 306 and web clients 304. These clients 304, 306, pursuant to

instructions from human operators or users (not shown), interact with the enterprise server 314

to access and process the information in the databases 316. For example, the clients 304, 306

may request that the enterprise server 314 retrieve certain information, or automatically analyze

certain information. .... The web clients 304 do not preferably utilize the enterprise server 314's

natural language. Accordingly, the web clients 304 communicate with the enterprise server 314

via a web server 310, which translates between the language of the web clients 304 and the

*language of the enterprise server 314. ... The **searching module 410** in the enterprise server 314*

interacts with a search engine 424 to conduct searches through the data in the databases 316

pursuant to search requests from the clients 304, 306. ... the data in the databases 316 is indexed

to facilitate and enhance searching by the search engine 424. ... Searching for documents is

*performed by searching through these indexes. ... **The client searching module 710 in the***

clients 304, 306 receives search commands from the user. The client search

module 710 converts these search commands to corresponding enterprise server

***API commands**, if necessary, and transfers these enterprise server API commands to the*

*enterprise server 314. ... Referring again to FIG. 9, **the client searching module 710***

generates a query request 908A based on the search criteria that the user entered

***into the field driven GUI 902.** ... The searching module 410 in the enterprise server 314*

*receives the query request 908A. ... **The searching module 410 then translates the***

query request 908A to a new query request in the language of the search engine

***424.** ... the searching module 410 identifies the search string components in the search string.*

*The **searching module 410 preferably performs step 13906 by parsing through the***

***search string** ... This search string component is best represented as a relational database*

query. Accordingly it would be best processed by a relational database engine ... ". The

preceding texts excerpts clearly indicate that databases e.g., indexed relational databases are

searched by a search engine at the enterprise server. The client search module uses the user

provided search string/commands or even fields to generate a search query that the enterprise

server understands. The enterprise server search module generates a new query if the search

engine or the database does not conform to the client provided search query. The user provided

search terms/ search strings/ commands/ fields in a GUI do not constitute a query. A database

can't interact with a set of terms/commands/fields alone. The search module processes these

terms, which comprises parsing the search strings and generating the search query (and

sometimes even twice) to interact with the database or search engine.) (Fig. 3; Fig. 4; Fig. 7;

Fig. 9; Fig. 121; Fig. 140; col 14, lines 29-38, lines 47-57; col 15, lines 5-11; col 26, lines 39-43,

lines 50-53; col 27, lines 34-40; col 29, lines 29-32; col 32, lines 19-30, lines 57-61).

Any other arguments by the applicant are either more limiting than the

claimed language or completely irrelevant.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the
United States before the invention thereof by the applicant for patent, or on an international application

by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3.   Claims 1-16 and 28-36 are rejected under 35 U.S.C. 102(e) as being anticipated by Rivette et al. (U.S. Patent No. 6,339,767 and Rivette hereinafter).

As to claims 1 and 28, Rivette teaches a method of searching a database of data elements, the method comprising: generating a search query to identify a first set of one or more data elements in the database, based on the first set, identifying a second set of one or more data elements in the database, where the data elements of the second set are related to one or more of the data elements of the first set, and generating data based on the data elements of the first and second sets and the relationships there between (i.e., *"These tools do not have functions for correlating, analyzing, and otherwise processing patent related information with non-patent related information, including but not limited to corporate operational data, financial information, production information, human resources information, and other types of corporate information." ... "The present invention maintains first databases of patents, and second databases of non-patent information of interest to a corporate entity." ... "For example, a patent's value may be linked to whether it covers*

technology that the corporation is currently using, or that the corporation may use in the future. For this and other purposes, the present invention includes functions for automatically analyzing the patent information 204 in conjunction with manufacturing information 204 and/or R&D information 206." ... *"For this and other purposes, the present invention includes functions for automatically analyzing the patent information 204 in conjunction with the licensing information 214. "* ... *"For example, the clients 304, 306 may request that the enterprise server 314 retrieve certain information, or automatically analyze certain information. The enterprise server 314 performs the requested tasks, and sends the results to the requesting clients 304, 306. The clients 304, 306 present these results to their respective operators, and enable the operators to process the results. Clients 304, 306 may also perform additional processing of data, such as creating a visualization of the data obtained from the enterprise server 314."* ... *"The searching module 410 in the enterprise server 314 interacts with a search engine 424 to conduct searches through the data in the databases 316 pursuant to search requests from the clients 304, 306."* ... *"Figure 45 is a generic dataflow diagram illustrating the general manner in which* ... *"The selected patent may also be linked to references to other documents that are contained in the selected patent. For example, the selected patent as displayed in FIGS. 145A-145C includes links to cited U.S. patent documents. These links are represented by reference numbers 14526 and 14528."* ... *"The selected patent may also include links to citations of other publications, as represented by reference number 14530, and citations to related applications, as represented by reference number 14532."* The preceding text excerpts clearly indicate that the system provides a tool to correlate, analyze patent related information with non-patent related information. A user may search for a particular patent using a searching module by providing search

terms/commands/strings/fields. The search term/command/fields/strings are used to generate a

search query. The returned patent document is correlated, analyzed with other non-patent related

information e.g. licensing, financial and other information with the help of an operator

automatically and the combined result is visually presented to the user. The non-patent related

information is identified by a plurality of methods including references containing citations or

HTML links in the patent document. Therefore a query generated from user provided search

string/command/terms identifies/ generates a first set of one or more data elements e.g., a patent

document and based on the first set, the analyzer generates relationships with/correlates non-

patent related data e.g., licensing, financial data to the patent related data using a plurality of

methods including time i.e., issue date, references with HTML links and citations and the both

sets of data is visually presented e.g. geometric shapes in a graph to the user.) (Abstract; col 3,

lines 5-19; col 4, lines 1-40; col 11, lines 50-67; col 14, lines 50-62; col 26, lines 39-43; col 57,

lines 4-67; col 118, lines 41-53; Figs. 174-176).

As to claims 2 and 3, Rivette teaches wherein generating a search query

includes: receiving search data from the user, based on the search data, generating the

search query (see comments from claim 1) (Abstract; col 3, lines 5-19; col 4, lines 1-40; col 11, lines 50-67; col

14, lines 50-62; col 26, lines 39-43; col 57, lines 4-67; col 118, lines 41-53; Figs. 174-176).

As to claim 4, Rivette teaches wherein generating a search query includes:

determining one or more keywords based on the search data, and generating the

search query including the one or more keywords (see comments from claim 1) (Abstract; col 3,

lines 5-19; col 4, lines 1-40; col 11, lines 50-67; col 14, lines 50-62; col 26, lines 39-43; col 57, lines 4-67; col 118, lines 41-53; Figs. 174-176).

As to claim 5, Rivette teaches coalescing the first set of data elements to include unique data elements (see comments from claim 1) (Abstract; col 3, lines 5-19; col 4, lines 1-40; col 11, lines 50-67; col 14, lines 50-62; col 26, lines 39-43; col 57, lines 4-67; col 118, lines 41-53; Figs. 174-176).

As to claims 6 and 29, Rivette teaches wherein the data elements of the second set are related to one or more of the data elements of the first set based on time (see comments from claim 1) (Abstract; col 3, lines 5-19; col 4, lines 1-40; col 11, lines 50-67; col 14, lines 50-62; col 26, lines 39-43; col 57, lines 4-67; col 118, lines 41-53; Figs. 174-176).

As to claims 7, 10, 11 and 30, Rivette teaches wherein the data elements of the second set are related to one or more of the data elements of the first set based on one or more references (see comments from claim 1) (Abstract; col 3, lines 5-19; col 4, lines 1-40; col 11, lines 50-67; col 14, lines 50-62; col 26, lines 39-43; col 57, lines 4-67; col 118, lines 41-53; Figs. 174-176).

As to claims 8 and 31, Rivette teaches wherein the references are based on the content of one or more of the data elements of the first set and the data elements of the second set (see comments from claim 1) (Abstract; col 3, lines 5-19; col 4, lines 1-40; col 11, lines 50-67; col 14, lines 50-62; col 26, lines 39-43; col 57, lines 4-67; col 118, lines 41-53; Figs. 174-176).

As to claims 9 and 32, Rivette teaches wherein the references include one or more of citations and HTML links (see comments from claim 1) (Abstract; col 3, lines 5-19; col 4, lines 1-40; col 11, lines 50-67; col 14, lines 50-62; col 26, lines 39-43; col 57, lines 4-67; col 118, lines 41-53; Figs. 174-176).

As to claims 12 and 33, Rivette teaches providing the generated data to one or more of a user and a display (see comments from claim 1) (Abstract; col 3, lines 5-19; col 4, lines 1-40; col 11, lines 50-67; col 14, lines 50-62; col 26, lines 39-43; col 57, lines 4-67; col 118, lines 41-53; Figs. 174-176).

As to claims 13, 14 and 34, Rivette teaches graphically displaying the data elements of the first and second sets and the relationships there between (see comments from claim 1) (Abstract; col 3, lines 5-19; col 4, lines 1-40; col 11, lines 50-67; col 14, lines 50-62; col 26, lines 39-43; col 57, lines 4-67; col 118, lines 41-53; Figs. 174-176).

As to claims 15 and 35, Rivette teaches wherein the data elements are represented by geometric shapes and wherein the relationships are represented by lines between geometric shapes (see comments from claim 1) (Abstract; col 3, lines 5-19; col 4, lines 1-40; col 11, lines 50-67; col 14, lines 50-62; col 26, lines 39-43; col 57, lines 4-67; col 118, lines 41-53; Figs. 174-176).

As to claims 16 and 36, Rivette teaches determining locations at which to display the geometric shapes and the lines to reduce overlaps between geometric shapes and

crossings between lines (see comments from claim 1) (Abstract; col 3, lines 5-19; col 4, lines 1-40; col 11,

lines 50-67; col 14, lines 50-62; col 26, lines 39-43; col 57, lines 4-67; col 118, lines 41-53; Figs. 174-176).

Conclusion

4.   **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded

of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Points of Contact

5.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Apu M. Mofiz whose telephone number is (571) 272-

4080. The examiner can normally be reached on Monday – Thursday 8:00 A.M. to 4:30

P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached at (571) 272-4146. The fax numbers for the group is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

Apu M. Mofiz
Primary Patent Examiner
Technology Center 2100

February 07, 2006